IN THE HIGH COURT OF UTTARAKHAND AT NAINITAL

Writ Petition No. 20 of 2007 (S/B)

Virendra Pratap Singh s/o late Sri Ayodhya Singh,
Working as Extension Training Officer in
Extension Training Centre, Hawalbagh, Almora
District Almora. …… Petitioner

Versus

1. Secretary/Additional Secretary,
   Village Development Department, Dehradun.
2. Commissioner, Village Development, Uttaranchal,
   Dehradun.
3. Principal, Extension Training Centre, Hawalbagh,
   Almora, District Almora.
4. Subhash Chandra Gupta working as
   Extension Training Officer, Haridwar.
5. Vijay Shankar Shukla working as
   Extension Training Officer, Chamoli, Gopeshwar.
6. Hemant Bhandari working as
   Extension Training Officer, Haldwani, Nainital
7. Jagdish Chandra Pant working as
   Extension Training Officer, Tharkot, Pithoragarh.
8. Ashraf Hussain Khan working as
   Extension Training Officer, Shankarpur, Dehradun.
9. Shekhar Chand Tiwari working as
   Extension Training Officer, Hawalbagh, Almora.
10. Smt. Manju Singh working as
    Extension Training Officer, Haridwar …… Respondents

…….

Sri. S.S. Yadav, Advocate for the petitioners.
Sri. Subhash Upadhyaya, Brief Holder for respondents 1 to 3.

Coram: Hon'ble Rajeev Gupta, C.J.
Hon'ble J.C.S. Rawat, J.

RAJEEV GUPTA, C. J. (Oral)

Sri. S.S. Yadav, Advocate for the petitioners.

Sri. Subhash Upadhyaya, Brief Holder for respondents 1 to 3.

2. Sri Subhash Upadhyaya, the learned counsel for the respondents 1 to 3 has raised a preliminary objection about the maintainability of the writ petition on the ground that the petitioners have an alternative efficacious remedy of filing a claim petition before the Public Services Tribunal for the redressal of the grievances projected in the writ petition.

3. Sri S.S. Yadav, the learned counsel for the petitioners could not demonstrate as to how the alternative remedy of filing the claim petition before the Public Services Tribunal is not efficacious in the present case.

4. In this view of the matter and following the Division Bench decisions of this Court in the cases **of Bhuwan Chandra Pandey and others Vs. State of Uttaranchal and others** reported in **2006 (2) U.D. 439 and Nanda Ballabh Pant Vs. State of Uttaranchal and others (W.P. No. 257 (S/B) 2005),** we decline to exercise our discretionary jurisdiction under Article 226 of the Constitution of India.

5 The writ petition, therefore, is liable to be dismissed and is hereby dismissed with the liberty to the petitioners to avail the alternative remedy of filing a claim petition before the Public Services Tribunal.

(J.C.S. Rawat , J.) **(Rajeev Gupta, C. J.)**
18.05.2007 18.05.2007

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